

367.93121 Action to contest or determine validity of declaration, cremation authorization form, or disqualification from control over disposition of remains -- Resolution of conflict.

An action to contest or determine the validity of any declaration made under KRS 367.93101 to 367.93121 or cremation authorization form, or to resolve a conflict between an executed cremation authorization form and the person or persons authorized in KRS 367.93117 regarding cremation, or to contest a disqualification pursuant to KRS 367.93117(2), shall be:

- (1) Brought in the District Court of the county of the decedent's residence or the county in which the funeral home or the crematory is located;
- (2) Expedited on the docket of the court as a matter requiring priority; and
- (3) Accompanied by a bond, cash deposit, or other surety sufficient to guarantee that the entity holding the declarant's remains is compensated for the safekeeping charges incurred while the action is pending.

Effective: July 15, 2020

History: Amended 2020 Ky. Acts ch. 123, sec. 2, effective July 15, 2020. -- Amended 2017 Ky. Acts ch. 144, sec. 4, effective June 29, 2017. -- Created 2016 Ky. Acts ch. 59, sec. 11, effective July 15, 2016.